HON'BLE Ms. JUSTICE G. ROHINI

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WRIT PETITION NO : 10954 of 2006

06-06-2006

Between:

M.Obi Reddy S/o M.venkata Ramudu, aged 35 years, r/o Tagarakunta village, Kanaganapalli Mandal, Anantapur District, rep. By his power of Attorney Holder-K.Venkateswara Reddy, S/o K.Rami Reddy, aged 38 years, r/o Alamuru village, Anantapur Rural Mandal, Anantapur District.

..... PETITIONER

AND

1. The Regional Transport Officer, Anantapur, Anantapur District and another.

.....RESPONDENTS

HON'BLE Ms. JUSTICE G. ROHINI

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WRIT PETITION NO : 10954 of 2006

O R D E R:

This writ petition is filed seeking a declaration that the action of the respondents in seizing and detaining the petitioner's Light Motor Vehicle (Maxi Cab) bearing Registration No. AP.02/U.4136 vide seizure report dated 07-05-2006 is arbitrary and illegal.

The seizure report dated 07-05-2006 shows that the vehicle was seized on the

allegation that it was found carrying 42 passengers illegally as a 'Stage carriage' and without proper records and licence.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle of the petitioner on condition of the petitioner depositing a sum of Rs.5,000/- (Rupees five thousand only) and also furnishing an undertaking that the vehicle in question will be produced as and when required by them and that the same will not be alienated and no third party interest will be created till the conclusion of the enquiry. It is made clear that the deposit made in pursuance of this order shall be subject to the outcome of the enquiry. No costs.

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06-06-2006

Mjl/*

HON'BLE Ms. JUSTICE G. ROHINI

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WRIT PETITION NO : 10954 of 2006

Operative portion of the Order:

The writ petition is disposed of with a direction to the respondents to release the vehicle of the petitioner on condition of the petitioner depositing a sum of Rs.5,000/- (Rupees five thousand only) and also furnishing an undertaking that the vehicle in question will be produced as and when required by them and that the same will not be alienated and no third party interest will be created till the conclusion of the enquiry. It is made clear that the deposit made in pursuance of this order shall be subject to the outcome of the enquiry. No costs.

06-06-2006

Note:

1. Issue wire at party's costs.
2. After dispatching the wire, please send this Bundle to the Court Masters' Section.

B/o MjI/*